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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Victor Corvalan)
)
Serial No.: 10/736,667) Group Art Unit: 3682
)
Filed: December 17, 2003) Examiner: David M. Fenstermacher
)
For: MANUALLY ACTUATED)
POSITIONING DEVICE WITH HIGH)
RESOLUTION AND LARGE RANGE)
OF MOTION)
)

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 13, 2008:

Applicant is hereby filling a request for withdrawal of the holding of abandonment under 37 CFR §1.181.

The Office Action dated March 13, 2008 is based on "Applicant's failure to timely file a proper reply to the Office letter mailed on August 21, 2007".

Carefully inspection of applicant's records shows that the Office letter dated August 21, 2007 was never received.

Applicant follows a strict procedure for filing letters and documents, described as follows:

Prior to physically filing letters and documents in folders according to their subject matter, they are scanned and saved as Portable Document Format (pdf) files. In addition to the original document, at least two copies of the electronic files are kept at all times, one copy on a computer hard drive and another copy on a

rewritable CD as backup. Copies of files on rewritable CDs are kept in a different physical location.

Applicant was unaware of the Office Action letter dated August 21, 2007, regarding the Notice of Non-Compliant Amendment, until applicant contacted the Patent Office on March 18, 2008. Applicant spoke to Ms. Nancy Johnson from the Office of Petitions, and requested a copy of the letter containing the Office Action. During that conversation, Ms. Johnson said that the Office letter was mailed out on August 14, and again on August 21, 2007. Note that the Office letter in question was mailed twice within a period of a week. Nevertheless, none of those two copies of the Office letter were ever received by applicant.

Furthermore, had applicant received the Office Action letter with the Notice of Non-Compliant Amendment dated August 21, 2007, applicant would have needed to add the phrase "Claims 1-7 (Canceled)" to the Amendments to the Claims and mail them back to the Patent Office, in order to fulfill the requirements stated in the Notice of Non-Compliant Amendment.

Withdrawal of the holding of abandonment under 37 CFR § 1.181 is respectfully requested.

Respectfully submitted,

Dated: April 2, 2008

By: 
Victor Corvalan